

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DAVID GECHT,	)	
	)	No. 23 CV 1742
<i>Plaintiff,</i>	)	
	)	Hon. Lindsay C. Jenkins
v.	)	District Judge
	)	
REYNALDO GUEVARA, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

**JOINT MOTION TO EXTEND BRIEFING SCHEDULE FOR  
AMENDED JOINT MOTION FOR FINDING OF GOOD FAITH SETTLEMENT**

Defendants, CITY OF CHICAGO, GERI LYNN YANOW, as Special Representative for ERNEST HALVORSEN, deceased, ALAN PERGANDE, MICHAEL MUZUPAPPA, ROBERT RUTHERFORD, EDWIN DICKINSON, KEVIN ROGERS, as Special Representative for FRANCIS CAPPITELLI, deceased, and REYNALDO GUEVARA (collectively, the “City Defendants”), and Plaintiff, DAVID GECHT, and Defendants, BRENDAN MCGUIRE, MICHAEL HOOD, and COOK COUNTY (collectively, the “Settling Parties”), by their undersigned attorneys, move this Honorable Court to extend the briefing schedule for the Settling Parties’ Amended Joint Motion for Finding of Good Faith Settlement. (Dkt. 181). In support thereof, the Parties state:

1. On October 23, 2024, the Settling Parties, without conferring with the City Defendants, filed a Joint Motion for Finding of Good Faith Settlement. (Dkt. 178).
2. On October 30, 2024, the Settling Parties filed their Amended Joint Motion for Finding of Good Faith Settlement, which included that the City Defendants opposed the motion. (Dkt. 181).

3. On October 31, 2024, this Court ordered the City Defendants' response to the amended motion due by November 18, 2024, with any reply due by November 25, 2024. (Dkt. 182). The Court further ordered that the response and reply should address the motion filed in this case and the motion filed in the related matter, *Kwil v. Guevara, et al.*, 23-cv-4279, and be filed on the docket in both cases. (*Id.*).

4. On November 15, 2024, the City Defendants filed an unopposed Motion for Extension of Time to Respond to the Settling Parties' Amended Joint Motion for Finding of Good Faith Settlement. (Dkt. 183).

5. On November 18, 2024, this Court granted the City Defendants' motion for extension and ordered the City Defendants' response brief due on November 27, 2024, and the reply brief due on December 4, 2024. (Dkt. 184).

6. For additional context, Plaintiff's attorney, Loevy & Loevy, Defendant Cook County and various other former Assistant Cook County State's Attorneys have simultaneously filed similar motions for finding of good faith settlement in seven other Guevara-related cases. See Dkt. 145, *Abrego v. Guevara, et al.*, No. 23-cv-1740 (N.D. Ill. Nov. 4, 2024); Dkt. 215, *Rodriguez v. Guevara, et al.*, No. 22-cv-6141 (N.D. Ill. Oct. 30, 2024); Dkt. 398, *Bouto v. Guevara, et al.*, No. 19-cv-2441 (N.D. Ill. Oct. 30, 2024); Dkt. 106, *Kwil v. Guevara, et al.*, No. 23-cv-4279 (N.D. Ill. Oct. 30, 2024); Dkt. 209, *Gonzalez v. Guevara, et al.*, No. 22-cv-6496 (N.D. Ill. Oct. 30, 2024); Dkt. 198, *Martinez v. Guevara, et al.*, No. 23-cv-1741 (N.D. Ill. Oct. 23, 2024); and Dkt. 74, *Kelly v. Guevara, et al.*, No. 24-cv-5354 (N.D. Ill. Nov. 4, 2024). The Parties intend to file, or have already filed, similar motions in those cases, requesting that the same extensions to the briefing schedules be set.

7. The Parties have been working on their respective briefs but due to other pre-existing professional and personal commitments, the City Defendants seek an extension of time until December 5, 2024, to file their response, and the Settling Parties seek an extension of time until December 12, 2024, to file their reply.

8. This motion is not made for the purpose of delay.

WHEREFORE, the Parties respectfully request this Honorable Court grant their joint motion to extend the briefing schedule for the Amended Joint Motion for Finding of Good Faith Settlement, with the City Defendants' response due on or before December 5, 2024, and the Settling Parties' reply due on or before December 12, 2024, and for any other relief as this Court deems just and proper.

DATED: November 27, 2024

Respectfully Submitted,

/s/ Eileen E. Rosen

Eileen E. Rosen  
Special Assistant Corporation Counsel  
*One of the Attorneys for City of Chicago*

Eileen E. Rosen  
Catherine M. Barber  
Theresa B. Carney  
Austin G. Rahe  
Lauren M. Ferrise  
Kelly A. Krauchun  
Erica Fatima  
Rock Fusco & Connelly, LLC  
333 W. Wacker, 19th Floor  
Chicago, Illinois 60606  
(312) 474-1000  
[erosen@rfclaw.com](mailto:erosen@rfclaw.com)

/s/ Timothy P. Scahill

Timothy P. Scahill  
*One of the Attorneys for Defendant Guevara*

Timothy P. Scahill  
Steven B. Borkan  
Borkan & Scahill, Ltd.  
20 S. Clark St., Suite 1700  
Chicago, IL 60603  
312-580-1030  
[tscahill@borkanscahill.com](mailto:tscahill@borkanscahill.com)  
[sborkan@borkanscahill.com](mailto:sborkan@borkanscahill.com)

/s/ James G. Sotos

JAMES G. SOTOS, Attorney No. 6191975

/s/ Steve Art

*Counsel for Plaintiff*

*Special Assistant Corporation Counsel for  
Defendants Pergande, Muzupappa, Rutherford,  
Dickinson, and Special Representatives Yanow  
and Rogers*

James G. Sotos  
Josh M. Engquist  
Joseph M. Polick  
Thomas J. Sotos  
THE SOTOS LAW FIRM, P.C.  
141 W. Jackson Blvd, Suite 1240A  
Chicago, IL 60604  
(630) 735-3300  
[jsotos@jsotoslaw.com](mailto:jsotos@jsotoslaw.com)

Jon Loevy  
Anand Swaminathan  
Steven Art  
Loevy & Loevy  
311 N. Aberdeen St.  
Chicago, IL 60607  
(312) 243-5900  
[steve@loevy.com](mailto:steve@loevy.com)

/s/ Joseph Hodal  
*Counsel for County Defendants*

Joseph Hodal  
Lyle K. Henretty  
Jessica Scheller  
Cook County State's Attorney's Office  
500 Richard J. Daley Center  
Chicago, IL 60602  
(312) 603-3116  
[joseph.hodal@cookcountysao.org](mailto:joseph.hodal@cookcountysao.org) s